

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                  )  
                                  )  
Plaintiff,                   )                           8:13CR317  
                                  )  
vs.                            )  
                                  )  
                                  )  
OTTO R. ROWELL,             )  
LOWELL ELDON FANNING,     )  
                                  )  
Defendants.                   )

This matter is before the court is defendant Otto R. Rowell's motion to continue trial [46] as counsel needs additional time to prepare for trial. The court finds good cause being shown and the trial shall be continued. The defendant shall comply with NECrimR 12.1(a).

**IT IS ORDERED** that the motions to continue trial is granted, as follows:

1. The jury trial **for all defendants** now set for January 14, 2014 is continued to **February 11, 2014**.
2. Defendant is ordered to file a waiver of speedy trial as soon as practicable.
3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and February 11, 2014**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

**DATED January 6, 2014.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**